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December 12, 2022

VIA ECF

Honorable Sarah L. Cave
United States Magistrate Judge
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Defendant Ambac Assurance Corporation's letter-motion seeking to file under seal the eleven exhibits to its pre-motion conference letter (ECF No. 558) is GRANTED. The Clerk of Court is respectfully directed to (i) seal the documents at ECF Nos. 559-1 – 559-11 which shall remain visible only to the selected parties, (ii) un-seal the document at ECF No. 559 which shall be viewable to the public, and (iii) close ECF No. 558.

The Clerk of Court is respectfully directed to close ECF No. 558.

SO ORDERED 12/13/22


SARAH L. CAVE
United States Magistrate Judge

Re: Monterey Bay Military Housing, LLC, et al. v. Ambac Assurance Corporation, et al., No. 19-CV-09193-PGG-SLC (S.D.N.Y.)

Dear Judge Cave:

We write on behalf of Defendant Ambac Assurance Corporation (“Ambac”) and pursuant to Federal Rule of Civil Procedure 5.2(d), Rule I(F)(2) of Your Honor’s Individual Practices, this Court’s Standing Order No. 19-mc-583, and Section 6 of this Court’s ECF Rules & Instructions (February 1, 2021 edition) (the “ECF Rules”), to seek the Court’s approval to file under seal eleven exhibits attached to the pre-motion conference letter which is being filed contemporaneously with this letter motion.

In support of Ambac’s pre-motion conference letter, we have attached documents that have been designated as “CONFIDENTIAL” or “CONFIDENTIAL – ATTORNEY’S EYES ONLY” pursuant to Stipulated Protective Order for Standard Litigation (ECF No. 135, the “Protective Order” and the later amendments).

Under paragraph 12.4 of the Protective Order, “[w]ithout written permission from the Designating Party or a court order secured after appropriate notice to all interested persons, a Party may not file in the public record . . . any Protected Material.” Ambac is therefore filing the designated exhibits to the letter provisionally under seal. The viewing level to be provisionally applied to the provisionally sealed exhibits is “Selected Parties.” (ECF Rule 6.9)

We thank the Court for its time and attention to this issue.

Respectfully submitted,

/s/ Taylor L. Jones

Taylor L. Jones

cc: All Counsel